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CM/ECF

Hon. Sarah L. Cave, USMJ
United States Courthouse
Southern District of New York
500 Pearl Street
New York, NY 10007

October 1, 2024

RE: GENCARELLI v. TOTO, USA, INC [Case No. 23 Civ. 8438 (AT) (SLC)]

**Plaintiff's Letter Regarding Objections To Defendant's Interrogatory Responses And Request
For Information On Key Personnel**

To the Honorable Judge Cave,

Plaintiff respectfully submits this letter, which was sent to Defendant TOTO, regarding Plaintiff's objections to the Defendant's responses to Plaintiff's interrogatories dated April 1, 2024. These objections concern the adequacy of the responses, which Plaintiff intends to address and preserve for the record during the scheduled conference call on October 4, 2024.

In addition, Plaintiff seeks information regarding the key personnel at TOTO USA Inc. responsible for product control for potential subpoena as witnesses in the anticipated upcoming trial.

This letter is filed in preparation of the court conference and to ensure that the court is apprised of these issues. A copy of the letter sent to Defendant is attached hereto as **Exhibit A**.

Respectfully submitted,

James Gencarelli
(Plaintiff)

The Court construes ECF No. 51 as Plaintiff's request for a pre-motion discovery conference pursuant to Local Rule 37.2, and the motion is **GRANTED**. Plaintiff's discovery dispute will be discussed at the telephone conference set in this matter on October 4, 2024.

The Clerk of Court is respectfully directed to close ECF No. 51.

SO ORDERED. October 1, 2024


SARAH L. CAVE
United States Magistrate Judge

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EXHIBIT A

October 1, 2024

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Gencarelli v. Toto USA Inc. Case Number: 1:23-cv-08438-AT-SLC

Plaintiff's Letter Regarding Objections to Interrogatory Responses and Request for Information on Key Personnel.

Dear Ms. Graves,

I am writing to inform you that I plan to object, on the record, during our upcoming conference call with the court (October 4, 2024) regarding the responses submitted by the defense on April 1, 2024, to the Plaintiff's Interrogatories. I believe the responses provided are insufficient and incomplete, and I intend to preserve these objections for potential appeal.

In preparation for trial, I require additional information about TOTO USA's personnel involved in product control. Specifically, I need to know the names and contact information of key individuals responsible for product control and quality assurance. This information is necessary to evaluate potential witnesses for subpoena purposes.

Please provide the following details:

1. **Full names** of the individuals at TOTO USA involved in product control and quality management.
2. **Titles and positions** of these individuals.
3. Their **contact information**, including mailing addresses, phone numbers, and email addresses.

Your prompt cooperation in providing this information would be appreciated, as it will assist in preparing for trial and ensuring that the necessary parties are available for subpoena, should that become necessary.

Thank you for your attention to this matter.

Sincerely,
James Gencarelli
(Plaintiff)